



OFFICE OF THE ATTORNEY GENERAL OF TEXAS  
AUSTIN

GERALD C. MANN  
ATTORNEY GENERAL

Mrs. Mattie Reynolds, Secretary  
State Board of Hairdressers and Cosmetologists  
Austin, Texas

Dear Madam:

Opinion No. 043786

Re: The necessity of health  
certificate and Wasserman  
test for applicant for  
examination for beauty  
operator's license.

This will acknowledge your letter of June 30, 1941, requesting the opinion of this department as to whether or not it is necessary that an applicant for examination for beauty operator's license submit with the application a health certificate and Wasserman test report under the circumstances described.

In this connection you state that the State Board of Hairdressers and Cosmetologists has prescribed, with the approval of the State Board of Health, a sanitary rule requiring that all students upon entering a duly licensed school of beauty culture furnish your Board with a health certificate and the result of a Wasserman blood test.

You state that students remain in school from six months to one year and your question is whether or not they are required to accompany application for examination and license with a new health certificate and a new Wasserman test. In our opinion they are so required.

Section 49(b) of Article 734b, Vernon's Annotated Penal Code provides:

"All applications for examination and for license shall be accompanied by a health certificate by a regularly licensed doctor of medicine, showing the applicant to be free from any

Mrs. Mattie Reynolds, Secretary, Page 2

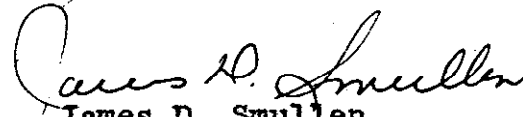
contagious or infectious diseases as determined  
by a general examination and Wasserman blood  
test."

It is our opinion and you are respectfully advised  
that such health certificate and such Wasserman test report  
must be dated with reasonable proximity to the date of such  
application. Clearly the intent of the Legislature is to  
require applicants to show good health at the time of their  
application. A health certificate and Wasserman test dated  
six months to one year previously would be of little value  
in determining present state of health.

Very truly yours

ATTORNEY GENERAL OF TEXAS

By

  
James D. Smullen  
Assistant

JDS:ej